

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,  
Plaintiff-Appellee.

v.

No. 98-4512

RICHARD L. LAWRENCE, III,  
Defendant-Appellant.

Appeal from the United States District Court  
for the Western District of Virginia, at Roanoke.  
Samuel G. Wilson, Chief District Judge.  
(CR-97-94)

Submitted: March 23, 1999

Decided: September 23, 1999

Before NIEMEYER, MICHAEL, and TRAXLER, Circuit Judges.

---

Dismissed in part, affirmed in part, and remanded by unpublished per  
curiam opinion.

---

**COUNSEL**

Jeffrey L. Dorsey, Salem, Virginia, for Appellant. Robert P. Crouch,  
Jr., United States Attorney, Karen B. Peters, Assistant United States  
Attorney, Jennifer Haynes, Third Year Law Intern, Roanoke, Vir-  
ginia, for Appellee.

---

## OPINION

### PER CURIAM

Richard L. Lawrence appeals his sentence for mail fraud, in violation of 18 U.S.C. § 1341 (1994), and money laundering, in violation of 18 U.S.C. § 1957 (1994). Lawrence asserts the sentencing court abused its discretion by denying him a reduction in his sentence for acceptance of responsibility under U. S. Sentencing Guidelines Manual § 3E1.1 (1997). Lawrence voluntarily signed a plea agreement in which he unambiguously waived his right to appeal Sentencing Guidelines issues. We accordingly find that Lawrence knowingly and intelligently waived his right to challenge the district court's discretionary decision denying a sentencing reduction for acceptance of responsibility. See United States v. Marin, 961 F.2d 493, 496 (4th Cir. 1992).

We grant Lawrence's motion to file a pro se supplemental brief and his motion to file a pro se reply brief. A review of the briefs, the record, and the applicable law reveal that the issues Lawrence raises are substantially meritless. However, Lawrence is correct that the district court's oral pronouncement of his sentence conflicted with its written judgment. Therefore, the district court should amend its written judgment to reflect its oral pronouncement that Lawrence was sentenced to prison terms of fifty months on each of the two counts to which he pled guilty, to be served concurrently, not fifty-five months' imprisonment. See United States v. Morse, 344 F.2d 27, 29-30 (4th Cir. 1965). We remand to the district court for that limited purpose. See Fed. R. Crim. P. 36.

Accordingly, we dismiss Lawrence's appeal as to all Sentencing Guidelines issues because such issues are waived in his plea agreement. We affirm Lawrence's convictions and sentence to the extent he asserts issues other than Sentencing Guidelines issues. Finally, we remand to the district court for the limited purpose of correcting the

clerical error in its written judgment so it conforms with the oral pronouncement of sentence. We dispense with oral argument because the facts and legal contentions are adequately presented before the court and argument would not aid in the decisional process.

DISMISSED IN PART, AFFIRMED IN PART,  
AND REMANDED